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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Alfred Kутtenberger

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EXAMINER

ILAN, RUTH

ART UNIT

PAPER NUMBER

3616

MAIL DATE

DELIVERY MODE

07/20/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/594,356	Applicant(s) KUTTENBERGER ET AL.	
	Examiner Ruth Ilan	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8 and 11-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8 and 11-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/24/2010 has been entered.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the plug in module of claim 14 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an

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application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 8 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foo et al. (US 6,095,554) in view of Davis et al. (US 5,882,034) and further in view of Feldmaier (US 4,842,301.) Foo et al teaches a device for triggering a personal protection device in a vehicle including an inertial sensor system (50, 52, 22 or 34) situated in a first location in a vehicle. With respect to claim 8, the first location is either the B pillar, col. 3, line 50 or can be the tunnel, col. 5, line 40.) A processor (13) is situated in a second location and the airbag to be controlled (airbag module 18, see col. 8, line 50) which is triggered as a function of a second signal (92) is situated in a third location. The processor is a central computer (see col. 3, line 40.) The inertial sensor system has a sensor signal pre-evaluation (see col. 4, lines 12-14 and col. 5, lines 8-10.) The difference between Foo et al. and the claimed invention is that Foo et al. does not specify that the firing circuit control is located with the airbag in the third location. It is well known in the vehicle airbag art to include local firing circuit control with the individual igniters located with the airbag. Davis et al. teaches one such arrangement, And includes the benefits of reducing costs, and increasing performance and control

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(see col. 1, lines 35-38.) Additionally, the use of the firing circuit control located remotely with the airbag decreases the risk of electromagnetic pickup on the wiring causing inadvertent deployment (see col. 2, lines 39-46.) Based on the teaching of Davis et al., it would have been obvious to one having ordinary skill in the art at the time of the invention to include firing circuit control remotely (i.e. at the third location) in order to reduce costs, and decrease the risk of inadvertent deployment. The other difference between Foo and the claims as amended is that Foo does not specifically teach that processor is not located on the vehicle tunnel, or as amended at one of the trunk, under a vehicle seat, in a vehicle seat or a vehicle roof. Foo does however suggest that it is contemplated that the processor is mounted separately from the accelerometers 50 and 52 which are preferably mounted on the vehicle tunnel (see col. 5, lines 40-42.)

Feldmaier teaches that a variety of mounting locations for a processor other than a vehicle tunnel and separately from the sensor input are contemplated, including the trunk (see col. 3, line 68.) Because Foo and Feldmaier teach airbag controls, with separate sensor locations, it would have been obvious to one having ordinary skill in the art at the time of the invention to mount the processor of Foo in the location suggested by Feldmaier in order to achieve the predictable result of a readily mounted processor.

Regarding claim 13 the Examiner takes Official Notice that the use of a BUS system are well known electrical expedients in the automobile art. It would have been obvious to one having ordinary skill in the art at the time of the invention to use these types of connections, as a person with ordinary skill has good reason to pursue the known options within his or her technical grasp. In Applicant's most recent remarks, Applicant

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has traversed the Examiner's assertion that BUS systems and plug-in components are well known and requested evidence. Lich et al., Pavlish, Schondorf et al., Caruso et al., Morell, Bentele-Calvor et al., Mathony, and Nitschke et al., among countless others teach that it is well known to communicate sensors, firing circuits and controllers via a BUS system.

5. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Foo in view of Feldmaier as applied to claim 8 above, and further in view of Skoffjanec (US 2002/0060448 A1.) Foo in view of Feldmaier is discussed above and does not disclose a plug-in processor. Skoffjanec teaches such a processor (Figure 1) and teaches that such a module provides the benefit of coding the module so that inadvertent installation of the incorrect processor is avoided during installation (see paragraph [0003].) In view of the teaching of Skoffjanec, it would have been obvious to one having ordinary skill in the art at the time of the invention to include a plug-in module with the air bag system of Foo in view of Feldmaier in order to aid in installation and assure correct installation of the module.

Response to Arguments

6. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth Ilan whose telephone number is 571-272-6673. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-7742. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ruth Ilan
Primary Examiner
Art Unit 3616

/Ruth Ilan/
Primary Examiner, Art Unit 3616